

resident. When I met with her in February, I pledged that I would do everything possible to return her son. I stand by that pledge today.

To that end, I have met with President Uribe and Colombian officials and urged them to secure Marc, Keith and Tom's release. President Uribe has assured me that Colombian authorities are working to locate these Americans and that Colombia will not end its search until they are found.

I have likewise urged the Bush administration to provide all necessary assistance to locate and gain the release of Marc, Keith and Tom. During a hearing last year before the Senate Foreign Relations Committee, I urged William Wood, Ambassador to Colombia, to make their well-being and safe release his highest priority. Ambassador Wood agreed to do so and promised to keep me informed about developments as they occur. I thank him for his efforts to date.

Unfortunately, rescuing these three Americans will not be easy. But while doing so may not be easy, it is essential—it is our duty. We must leave no stone unturned in our efforts to secure their release. And we must make sure that their families know that we have not forgotten their sons and will not rest until we find them. I will continue to work tirelessly on behalf of Marc, Keith and Tom, and I urge the Bush administration and the Colombian government, to do everything in their power to expedite their return.

NOMINATION OF WILLIAM G. MYERS III

Mr. JOHNSON. Madam President, yesterday the Senate voted on the nomination of William G. Myers III who has been nominated for a position on the Ninth Circuit Court of Appeals. The Ninth Circuit includes most western States as well as Alaska and Hawaii. These western States contain a vast portion of our natural resources and is home to many of our Native Americans, Alaskan Natives and Hawaiian natives.

President Bush nominated Mr. Myers on May 15, 2003 while he served as Solicitor General for the Department of Interior. He was voted out of the Judiciary Committee on April 1, 2004, by a party line vote of 10-9.

A large portion of Mr. Myers' 22-year legal career has been in Washington working as a lobbyist and as a governmental lawyer in Republican administrations. During his legal career, Mr. Myers has never served in a judiciary capacity; he has never participated in a trial, and has received a partial Not Qualified rating from the American Bar Association, its lowest rating.

During his tenure as Solicitor General he has shown his contempt for environmental protections and has disregarded the necessary input of Native Americans into decisions that directly affect them. As Solicitor, he reversed an opinion made by his predecessor

during the Clinton administration regarding the interpretation of a statute. This reversal led to the issuance of a permit to the Glamis Company to open and operate the Glamis Imperial Mine on Quechan Indian Sacred land. The decision to overturn this opinion was done without government-to-government consultation with the Quechan Indian Tribe, which is required by the policies implemented by the executive branch. Despite requests made by the Quechan Indian Tribe to meet with the Interior Department, he never made any attempts to convene with the tribe while Solicitor, yet had several meetings with the Glamis Company regarding this gold mine.

Mr. Myers placed his mining industry ties before all others. It is his judgment demonstrated here that lead the nonpartisan National Congress of American Indians to oppose this judicial nomination for the first time in this organization's 60-year existence.

The nomination of Mr. Myers is opposed by more than 175 environmental, Native American, labor, civil rights, disability rights, women's rights and other organizations. The New York Times, the Los Angeles Times, and the San Francisco Chronicle have editorialized in opposition to his confirmation.

Now, I point out that I have voted and the Senate has confirmed many conservative judges. Do I like their politics? Probably not. Will I be happy with their rulings all of the time? No. Do I think they can resist partisan activism while serving on the bench? Yes. Regardless of a judge's political leanings, I will support a nominee who understands and is respectful of the rule of law. It is apparent that Mr. Myers will put industry ahead of our environment, the sacred land rights of Native Americans, and most importantly what is in the best interest of the general public.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On April 2, 2000, in Cedar Rapids, IA, Jason Allen was charged with allegedly attacking another man because he believed the man was gay.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

ADDITIONAL STATEMENTS

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

• Mr. KERRY. Madam President, I am pleased to join my colleagues in the Senate—Chair of the Committee on Small Business and Entrepreneurship OLYMPIA SNOWE and former House Small Business Committee Chairman JIM TALENT—in support of legislation that will ensure the National Veterans Business Development Corporation is able to continue serving veteran small business owners.

In a letter to the Office of Management and Budget on March 19, 2004, the Department of Justice concluded that the Veterans Corporation is a government agency, and therefore subject to the laws, regulations, and guidance applicable to all executive branch agencies. This opinion by the administration not only goes against congressional intent, but it severely undermines the ability of the corporation to deliver needed assistance to veteran entrepreneurs.

As a supporter of the original legislation that established the Veterans Corporation, I can tell you that Congress fully intended the Veterans Corporation to be a private entity and not a Federal agency. This bipartisan legislation simply clarifies the status of the Veterans Corporation and reaffirms Congress's original objective.

I urge all of my colleagues to support this legislation, which we seek to pass today. Passing this legislation expeditiously will mean that the Veterans Corporation can continue to carry out its congressionally mandated mission and that our veteran-owned small businesses are able to receive the development assistance they need to start and expand. •

THE SMART PROGRAM

• Mr. SMITH. Madam President, today I rise to recognize a proven early literacy program called SMART, which stands for "Start Making A Reader Today." The program gives children who have difficulty reading the extra support and one-on-one attention they need to learn to read and succeed.

Each year, SMART matches more than 11,000 young children in Oregon with adult volunteers for weekly one-on-one reading sessions. Independent research shows that these relationships have a measurable impact on the students' reading performance. At a time when we are striving to better serve our Nation's students, this Oregon program is a model for the Nation. SMART has improved young Oregonians' performance on important benchmark exams, and has given students an important boost of confidence for continued academic success.

Twelve years ago, Johnell Bell was a first grader struggling to learn to read.